

### **REMARKS**

This is in response to the Office Action that was mailed on August 23, 2005. Claims 1 and 6 are amended to expressly recite the cutting step from their preambles and to recite the feature of claim 8. Claim 8 is accordingly cancelled, without prejudice. Claim 18 is recast in independent form, and is amended in accordance with the disclosure to recite that the controlling step includes determining a conveyance status of the sheet. Claim 26 is amended in accordance with the disclosure to specify that wrapping and packaging the collected sheets is carried out to provide wrapped and/or packaged sheets. No new matter is introduced by this Amendment. Claims 1, 6, 7, 18, and 20-26 are pending in the application.

Claims 18-26 were rejected under the second paragraph of 35 U.S.C. §112 as failing to define the invention properly. The two issues raised by the Examiner in this regard are addressed by the present amendments of claims 18 and 26.

THE PRESENT INVENTION. The present invention manufactures sheets of material *that are already cut into a predetermined size* (or processed products of those sheets) by processing the sheets or by performing predetermined operations on the processed sheets. In other words, in the present invention the sheets of material taken from the whole web of the material are firstly cut to the predetermined size, and thereafter the cut sheets – already having the predetermined size – are processed or subjected to predetermined operations at each of processing operations or processing sections.

Claims 1, 6-8, and 18-25 are rejected under 35 U.S.C. §102(b) as being anticipated by JP 7-49197. The reference in question corresponds to US 4,949,607 (Yuito). The rejection is respectfully traversed.

Yuito discloses that after processing is carried out on a web in the form of a long sheet, the web is cut into a predetermined size by a sheet cutting shear 26. A tail end cutting shear 16 cuts the web when the total number of estimated acceptable sheets and already cut acceptable

sheets reaches the necessary desired number of acceptable sheets. In the present invention, processing is carried out *after* a sheet is cut into a predetermined size. In order to clarify the above-mentioned differentiation, the present claims now expressly recite the step of “cutting the sheet material into the plurality of sheets of predetermined size”.

The Examiner bases the rejection of record on the processing in Yuito of the “long sheet cut by via 16”. The Examiner maintains that this long sheet corresponds to the sheets of predetermined size processed in the present invention. However, those of ordinary skill in the art would consider the “long sheet cut by via 16” of Yuito to correspond to the “sheet material” recited in the phrase “manufacture of a sheet material cut into sheets of predetermined size” in the present claims. The present invention is concerned with the processing of sheets obtained when the “long sheets” are subsequently cut into the sheets of predetermined size, not of “sheet material” (which corresponds to the long sheet material cut by cutter 16 in Yuito).

The Yuito disclosure contains the following teachings:

In continuous web material cutting lines having ... a web shearing or cutting device located near the forward or downstream end of the cutting line for cutting of the web material to sheets of predetermined length, there are provided ... various devices and instruments .... Some of such web material cutting liens are provided with shearing or cutting devices for cutting off that part of the web material remaining along the cutting line after stoppage. Such a cutting device (which is hereinafter referred to as an end cutting shear) is located near the entrance of the cutting line through which the web material is introduced to the cutting line.

Column 1, lines 11-35. In line 60 of column 2, Yuito refers to “end cutting shear 16”.

Thus, manifestly, the sheet material cut by cutter 16 in Yuito is simply “that part of the web material remaining along the cutting line after stoppage”. It is not “sheets of predetermined length”. Therefore, whatever processing Yuito applies to the sheet material after cutting by cutter 16 is irrelevant to the presently claimed processing of “a plurality of sheets of predetermined size”.

A further distinguishing feature of the present invention is the sheet detectors. The Examiner maintains that the detecting means 15, 25 of Yuito corresponds to sheet detectors disposed at the entrance and exit sides of each of the processing operations or the processing sections of the present invention. However, a path between detecting means 15 and 24 of Yuito is not a branch path for sorting the sheets being conveyed. The present incorporation of the recitation of the features of claim 8 into claims 1 and 6 further distinguishes the presently claimed invention over the disclosure of the reference.

Regarding claim 18, the Examiner considers that the detecting means 25 of Yuito corresponds to the sheet detector disposed at the entrance side of the branch path of the present invention, and that sending signals to computer 40 via 38, 39 of Yuito corresponds to the sheet detectors disposed at the exit side of the branch path of the present invention. The Examiner believes that therefore Yuito discloses that the sheet detectors are disposed at the entrance and exit sides in Yuito. In the present invention, sheet detectors are disposed at an entrance side (for example, 60A) of the branch path or a gate (for example, 48) and at plural exit sides (for example, 60B and 60C). In Yuito, if the sheet detector at an entrance side is 25, then 38 should be disposed at one of the exit sides of a branch gate – however, no detector is disposed at the other exit side. Therefore the present application is still further distinguished from Yuito by clarifying that sheet detectors are disposed at the entrance side and exit sides (plural).

Manifestly, the claims in their present form recite only inventive subject matter that is not found in the Yuito disclosure.

Claims 26 is rejected under 35 U.S.C. §103(a) as being unpatentable over the Yuito reference. The rejection is respectfully traversed. The Examiner acknowledges that the prior art applied fails to teach or suggest the invention of claim 26. The Examiner purports to remedy the deficiencies of the Yuito reference by taking “official notice” that “packing cutting sheets” is known. Assertions of *specific* knowledge of the prior art must always be supported by citation to a reference. *In re Ahlert*, 165 USPQ 418. An example of a fact appropriate for the taking of

official notice is the *general* fact that it is known to adjust the intensity of a flame in accordance with heat requirements. MPEP 2144.03. In any event, claim 26 requires “the steps of counting a number of sorted sheets and the numbers of at least one of the wrapped and packaged sheets, respectively, and comparing, at a predetermined timing, the number of sorted sheets and the number of the at least one of wrapped and packaged sheets”. This is manifestly neither disclosed by Yuito nor obvious to the extent that it could be a proper subject of “official notice”. Since the Examiner’s line of reasoning is without appropriate evidentiary support in the record, the “official notice” taken by the Examiner is improper and should be withdrawn. See MPEP 2144.03.

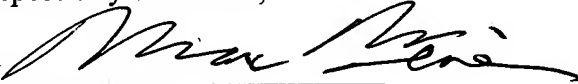
Applicants submit that none of claims 1, 6-8, 18, and 20-26 is drawn to subject matter disclosed or suggested by JP 7-49197 and the rejection should be reconsidered and withdrawn.

Please contact Richard Gallagher (Reg. No. 28,781) at (703) 205-8008 with any questions concerning the present application.

If necessary, the Commissioner is authorized to charge payment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17.

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Respectfully submitted,

By 

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